

Remarks & Arguments

Claims 25-40 are pending in the application and are the subject of a restriction/election requirement. By this response, Claims 25-27 are provisionally elected with traverse. The Examiner alleges that independent claims 28 and 35 are directed to an invention that is independent or distinct from independent claim 25. In particular, the Examiner alleges that claims 28 and 35 differ distinctly from claim 25 because claims 28 and 35 require “injecting the material into each **column**,” whereas claim 25 requires “causing the material to flow from the first cavity to the third cavity.” The Applicant respectfully disagrees with the Examiner’s position. Claim 25 recites:

attaching a plurality of dice to die pads in a plurality of cavities of a lead frame, the cavities arranged in a matrix of columns and rows;
electrically connecting the dice to a plurality of conducting portions of the leadframe;
causing a molding material to flow into a first cavity;
causing said molding material to flow from said first cavity into a second cavity adjacent to and in the same column as said first cavity; and
causing said molding material to flow from said first cavity into a third cavity adjacent to and in the same row as said first cavity.

The requirement that the Examiner alleges makes claims 28 and 35 “differ distinctly” from claim 25 is a recited limitation in Claim 25. In particular, when molding material flows from a first

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cavity into a second cavity, where the second cavity is adjacent to and in the same column as the first cavity, the material flows “into each column” when the “cavities are arranged in a matrix of columns and rows.” Accordingly, the Examiner has failed to establish a prima facie case to support a restriction/election requirement. Applicant therefore requests that the restriction requirement be withdrawn.

Applicant also notes that the Examiner stated that “since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation.” Accordingly, the Examiner should have issued a complete Office Action setting forth the election/restriction requirement in accordance with the standards set forth in the MPEP and addressing the Applicant’s arguments concerning the rejection under 35 U.S.C. 103 of claims 25-27.

Conclusion

For all the reasons advanced above, Applicant respectfully submits that the present application is in condition for allowance and that action is earnestly solicited. The Examiner is invited to contact Applicants’ undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

The Commissioner is hereby authorized to charge any additional fees, which may be required for this amendment, or credit any overpayment, to Deposit Account 23-0085. In the event that an extension of time is required, or may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that

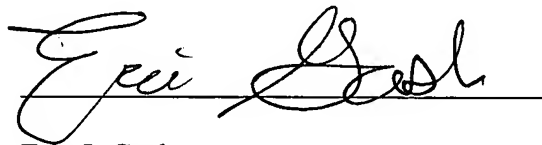
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extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account 23-0085.

Respectfully submitted,

WAGNER, MURABITO & HAO, LLP

Dated: *September 21, 2006*

A handwritten signature in cursive script, appearing to read "Eric J. Gash", written over a horizontal line.

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